

United States District Court
Eastern District of New York

DAVID SEIDEMANN
38 Garfield Avenue
North Haven, CT 06473
Plaintiff,
-against-

PLAINTIFF'S MOTION FOR SUMMARY JUDGMENT
-CV- 02-3389 (SJ) (LB)
Pro Se

BARBARA BOWEN,
personally and in her capacity as
President of the PSC/CUNY (Professional Staff
Congress/City University of New York)
25 West 43rd Street
New York, NY 10036
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and
PSC/CUNY
(Professional Staff Congress/City
University of New York)
25 West 43rd Street
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(212) 354-1252
Defendants

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Attorneys for Defendants
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Plaintiff hereby respectfully moves the Court pursuant to Rule 56 (a) of the Federal Rules of Civil Procedure for an Order directing entry of a summary judgment in favor of the plaintiff and against defendants as follows: (1) granting summary judgment in regard to all the plaintiff's CLAIMS FOR RELIEF, as presented in his THIRD AMENDED COMPLAINT of January 19, 2004 and, (2) providing the plaintiff with all

the relief he asks under DEMAND FOR RELIEF in his THIRD AMENDED COMPLAINT.

This motion is made on the ground that no genuine triable issue of material fact exists for the relief sought here, and that the plaintiff is entitled to judgment as a matter of law set forth in *Abood v. Detroit Board of Education*, 431 U.S. 209 (1977); *Chicago Teachers Union, Local No. 1 v. Hudson*, 475 U.S. 292 (1986); *Ellis v. Railway Clerks* 466 U.S. 435 (1984); *Hines v. Anchor Motor Freight, Inc.*, 424 U.S. 554 (1976); *Lehnert v. Ferris Faculty Association*, 500 U.S. 507 (1991); *Machinists v. Street*, 367 U.S. 740 (1961); *Vaca v. Sipes* 386 U.S. 171 (1967).

This motion is brought on the basis of plaintiff's THIRD AMENDED COMPLAINT and attached exhibits of January 19, 2004; and on the accompanying memorandum of law and attached exhibit; statement of undisputed facts; and affidavit.



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PLAINTIFF PRO SE
Dated May 4, 2004